

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Thomas J. Walsh

TITLE : **SOFTWARE QUALITY
ASSURANCE MANAGEMENT
SYSTEM**

APPLICATION NO. : 09/773,297

FILED : January 31, 2001

CONFIRMATION NO. : 6399

EXAMINER : James D. Rutten

ART UNIT : 2192

LAST OFFICE ACTION : November 19, 2004

ATTORNEY DOCKET NO. : LUTZ 2 00053
Case Name/No. Walsh 1

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed November 19, 2004 finally rejecting claims 1-21. An After Final Amendment and Response to Examiner's Action was filed on March 21, 2005, along with a petition for a one-month extension of time and \$120.00 fee.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☒ Applicant(s) hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a third-month extension of time up to and including May 19, 2005 in which to file the accompanying Notice of Appeal. The check in the amount of

05/24/2005 MAILING 00000013 09773297

500.00 OP
900.00 OP01 FC:1401
02 FC:1253

\$900.00 for the additional extension fee is enclosed herewith. Applicant(s) request any additional extensions of time that may be necessary and authorize the extension of time fees or any deficiency in fees herewith to be charged to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee: \$500.00

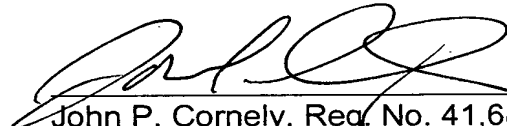
Extension of Time Fee: \$900.00

5. **FEE PAYMENT**

Attached is a check in the amount of \$500.00 for the notice of appeal and a check in the amount of \$900.00 for the extension of time fee. If any additional fees are required, the Commissioner is hereby authorized to charge Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE LLP

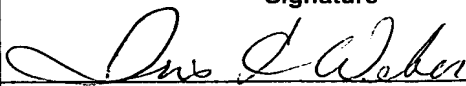

John P. Cornely, Reg. No. 41,687
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
Date
May 19, 2005

Signature

Printed Name
Iris E Weber